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INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Molly L. Sauter
Attn:	Jon E. Angell - Art Unit 1635	Client:	1372.34
Fax:	(571) 273-8300	Pages:	9 including coversheet
Phone:	(571) 272-0756	Date:	August 16, 2006
Re:	USPN 09/939,518	CC:	University of South Florida (Assignee)

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

Dear Examiner Angell:

In response to the non-final office action mailed May 16, 2006, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated August 16, 2006 (2 pages); and
- 2) Amendment I with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated August 16, 2006 (6 pages).

Very respectfully,

Molly L. Sauter  
Reg. No. 46,457

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 09/939,518 Confirmation No.: 2429  
Applicants: : Mark J. Jaroszeski et al.  
Filed: : 08/24/2001  
Art Unit : 1635  
Examiner : Jon E. Angell

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Docket No. : 1372.34  
Customer No. : 21,901  
For : Method of Using Electric Fields to Facilitate the Entry  
of Molecules into Cells in Vivo

Transmitted to Central Fax at (571) 273-8300  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicants are an independent inventors.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

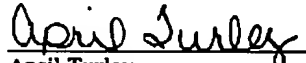
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**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment I, including Amendments to the Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Central Fax Center, Art Unit 1635, Attn: Jon E. Angell, (571) 273-8300, on August 16, 2006.

Dated: August 16, 2006

  
April Turley

(Amendment Transmittal—page 1)

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	17	Minus	28	= 0	x \$25 =	\$0
Indep.	2	Minus	4	= 0	x \$100 =	\$0
First Presentation of Multiple Dependent Claim					+ \$180 =	\$0
Total					Addit. Fee	\$0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,
  - \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
  - \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,



**SIGNATURE OF PRACTITIONER**

Reg. No. 46,457  
Tel. No.: (727) 507-8558

Molly L. Sauter  
Smith & Hopen, P.A.  
180 Pine Avenue  
Oldsmar, Florida 34677

(Amendment Transmittal—page 2)

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Applicants: : Mark J. Jaroszeski et al.  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's Non-Final Office Action mailed May 15, 2006, having a shortened statutory period for reply that expires August 16, 2006, the above-identified patent application is amended as follows.

**AMENDMENT I**  
**(37 C.F.R. § 1.121)**

Remarks begin on page 2 of this paper.